

Hollins, Hammond Dugan and Frederick James Dugan, the slaves given to the daughters being in trust. And it is alleged, and the allegation not seriously if at all denied, that some property embraced in this residuary clause remains to be distributed. Especially it is said, that ground rents, amounting to \$900 per annum, in which the testator's widow (now deceased) had a life estate and which constituted a part of the residue, yet remain to be distributed. And the complainant insists that no further distribution shall be made, including the amount in the hands of the administrator of Margaret Dugan until he is paid the sum due to him.

It being the opinion of the court that the complainant is entitled to contribution in respect to the amount paid by him in satisfaction of the decree obtained by Gittings and others, an account must be stated for the purpose of ascertaining how much he is entitled to, and it would seem proper in the mean time, that no further distribution should be made, or insisted on by the complainant. The defendants have, to be sure, excepted to the averments of the bill, so far as this claim for contribution is concerned, but it will, I think, be found upon examination, that the bill does distinctly rest a part of the claim made by it upon this very ground. That it avers every fact essential to the claim, and that it is not consequently obnoxious to exceptions on this account.

The case will, therefore, be sent to the Auditor to state the necessary accounts.

T. P. SCOTT and ALEXANDER, for Complainants.
BROWN and BRUNE, for Defendants.